

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re:	)	Chapter 11
	)	
ARRO CORPORATION, f/k/a ARRO	)	Case No. 19-35238
PACKAGING COMPANY	)	
	)	Honorable Janet S. Baer
Debtor.	)	
	)	<b>Hearing Date: January 9, 2020</b>
	)	<b>Hearing Time: 10:30 a.m.</b>

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**NOTICE OF MOTION**

PLEASE TAKE NOTICE that on **Thursday, January 9, 2020, at 10:30 a.m.**<sup>1</sup>, we shall appear before the Honorable Janet S. Baer of the United States Bankruptcy Court for the Northern District of Illinois, or any other judge sitting in her place and stead, at Courtroom 615 in the Dirksen Federal Building, 219 S. Dearborn Street, Chicago, Illinois, 60604, and then and there present the **MOTION OF ARRO CORPORATION TO EMPLOY ADELMAN & GETTLEMAN, LTD. AS LEGAL COUNSEL**, a copy of which is hereby served upon you.

ADAM P. SILVERMAN, ESQ. (ARDC# 6256676)  
ERICH S. BUCK, ESQ. (ARDC #6274635)  
NICHOLAS R. DWAYNE, ESQ. (ARDC #6308927)  
ADELMAN & GETTLEMAN, LTD.  
53 West Jackson Blvd., Suite 1050  
Chicago, Illinois 60604  
Tel (312) 435-1050  
Fax (312) 435-1059  
**Proposed Counsel for Arro Corporation**

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certify that true and correct copies of this notice and motion were served upon the parties listed on the service list attached hereto via ECF as indicated below, on January 6, 2020.

By: /s/ Adam P. Silverman  
Adam P Silverman, Esq.

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<sup>1</sup> At the time of the filing of this Motion, another matter in this case has already been set for hearing at 10:30 a.m. on January 9, 2020. Therefore, and pursuant to the Court's procedures, the Debtor has set this motion for presentment at the same time.

**SERVICE LIST**

**VIA CM/ECF**

- **Nathan E Delman** [ndelman@hmblaw.com](mailto:ndelman@hmblaw.com), [ecfnotices@hmblaw.com](mailto:ecfnotices@hmblaw.com)
- **William J Factor** [wfactor@wfactorlaw.com](mailto:wfactor@wfactorlaw.com), [wfactorlaw@gmail.com](mailto:wfactorlaw@gmail.com),  
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**MOTION OF ARRO CORPORATION TO EMPLOY  
ADELMAN & GETTLEMAN, LTD. AS LEGAL COUNSEL**

NOW COMES Arro Corporation, f/k/a Arro Packaging Company, debtor and debtor in possession (the “**Debtor**”), by and through its undersigned proposed counsel, and for its motion to employ Adam P. Silverman, Esq., Erich S. Buck, Esq., Alexander F. Brougham, Esq. and Nicholas R. Dwayne, Esq., and the law firm of Adelman & Gettleman, Ltd. (collectively, “**A&G**”) as its counsel in this Chapter 11 case (the “**Motion**”) pursuant to Section 327(a) of the Bankruptcy Code (the “**Code**”) and Rule 2014 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), respectfully states as follows:

**I. FACTUAL BACKGROUND**

1. On December 13, 2019 (the “**Petition Date**”), the Debtor filed a voluntary petition for relief under chapter 11 of the United States Bankruptcy Code, 11 U.S.C. §§ 101 *et seq.* (the “**Code**”). Since the Petition Date, the Debtor has remained in possession of its assets and has continued to operate its business as a debtor in possession in accordance with 11 U.S.C. §§ 1107 and 1108 in the above-captioned case (the “**Chapter 11 Case**”).

2. On December 23, 2019, an official committee of unsecured creditors (the “**Committee**”) was appointed in the Chapter 11 Case. A trustee has not been appointed in the

Chapter 11 Case. The first meeting of creditors under section 341(a) of the Code is currently scheduled for January 16, 2020 at 1:30 p.m.

3. The nature of the Debtor's business and the factual background relating to the Debtor's commencement of this Chapter 11 Case is set forth in detail in the *Declaration of Patrick Gaughan in Support of Chapter 11 Petition, First-Day Motions, and Certain Second Tier Motions* filed on December 16, 2019 as Dkt. No. 12 and incorporated herein by reference.

4. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. § 1334. Venue lies properly in this Court pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A). The statutory predicate for the relief requested herein is section 327 of the Code. The applicable rule is Bankruptcy Rule 2014.

## **II. RELIEF REQUESTED**

5. By this Motion, the Debtor seeks the entry of an order authorizing it to retain A&G as its attorneys in connection with the Chapter 11 Case pursuant to section 327(a) of the Code. In relevant parts, section 327(a) states as follows:

the [Debtor], with the court's approval, may employ one or more attorneys, accountants, appraisers, auctioneers, or other professional persons, that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee's duties under this title.

11 U.S.C. § 327(a).

6. The Debtor selected A&G because of the firm's extensive experience and knowledge in the field of debtors' and creditors' rights and business reorganizations under Chapter 11 of the Code, as well as the firm's extensive prepetition experience with, and knowledge of, the Debtor, its business, and the goals of the Chapter 11 Case.

7. The professional services that may be required of A&G in the Chapter 11 Case include the following:

- a. Providing the Debtor with legal advice respecting its powers, duties, rights, and obligations as a debtor-in-possession in the continued management of its property and affairs;
- b. Attending meetings and negotiating with representatives of creditors and other parties in interest;
- c. Assisting the Debtor to effectuate sale or sales of substantially all of its assets;
- d. Assisting the Debtor in the formulation, preparation, solicitation, implementation, and consummation of a Chapter 11 plan of reorganization or liquidation, if appropriate;
- e. Taking all actions necessary to protect and preserve the Debtor's estate, including the prosecution of such litigation as may be necessary or appropriate on behalf of the estate;
- f. Preparing on behalf of the Debtor the such Motion, other motions, complaints, orders, reports, and other legal papers as may be needed; and
- g. Providing such legal advice and providing all other legal services to the Debtor as are appropriate.

8. To the best of the Debtor's knowledge, A&G has no connection with the Debtor, its creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee, except as expressly set forth in the *Affidavit of Disinterestedness of Adam S. Silverman* attached hereto as **Exhibit A** and made a part hereof. A&G is a "disinterested person," as that term is defined in section 101(14) of the Code, and A&G does not hold or represent an interest adverse to the Debtor's estate.

9. It is anticipated that Adam P. Silverman, Esq., Erich S. Buck, Esq., Alexander F. Brougham, Esq. and Nicholas R. Dwayne, Esq., will be the primary attorneys from A&G working on behalf of the Debtor in the Chapter 11 Case. It will likely, however, be appropriate for other attorneys at A&G to become involved in the Chapter 11 Case, and as of the filing

hereof, other such attorneys have been required to provide services in the Chapter 11 Case. The rates to be charged in the Chapter 11 Case by legal professionals employed by A&G are as follows:

Howard L. Adelman	\$550/hr.
Chad H. Gettleman	\$550/hr.
Henry B. Merens	\$550/hr.
Adam P. Silverman	\$475/hr.
Steven B. Chaiken	\$445/hr.
Erich S. Buck	\$445/hr.
Alexander F. Brougham	\$345/hr.
Nicholas R. Dwayne	\$325/hr.
Paralegals/Law Clerks	\$135/hr.

10. The foregoing rates are consistent with those rates paid by clients of A&G and to be charged by A&G for future matters, in non-bankruptcy matters. These rates are subject to annual adjustments beginning in January 2021.

11. Since the Petition Date, A&G has rendered, and continues to render, professional services to the Debtor. Accordingly, the Debtor requests that the Court approve the employment of A&G retroactive to, and including, the Petition Date.

12. All compensation and reimbursement of expenses payable to A&G will be subject to further order of the Court.

### **III. NOTICE**

13. Bankruptcy Rule 6003 provides, among other things, that a motion to employ a professional under Bankruptcy Rule 2014 shall not be granted within 21 days after the filing of the petition. Because this Motion is scheduled to be presented more than 21 days after the Petition Date, the Debtor submits that Bankruptcy Rule 6003 does not apply.

14. Notice of the filing of this Motion and the hearing scheduled therefor has been provided pursuant to Bankruptcy Rule 2014 by CM/ECF to: (a) the Office of the United States

Trustee for the Northern District of Illinois; and (b) any other parties who have requested notice and service of pleadings. In light of the nature of the relief requested, and Bankruptcy Rule 2014, the Debtor submits that no other or further notice is required.

WHEREFORE, Arro Corporation, debtor herein, respectfully requests the entry of an order in accordance with the foregoing in the form of the proposed order filed herewith and made a part hereof without further notice, and such other and further relief as is just and necessary.

Respectfully Submitted,

ARRO CORPORATION

By: /s/ Adam P. Silverman  
Adam P Silverman, Esq.  
One of its proposed attorneys

ADAM P. SILVERMAN, ESQ. (ARDC# 6256676)  
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